

COUNTY OF CLINTON)
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STATE OF NEW YORK)

September 28, 2015

Stenographer's minutes of the Regular Session of the Clinton County Legislature held Wednesday, September 23, 2015 in the Legislative Chambers, 137 Margaret Street, Plattsburgh, New York.

PRESENT: Mark Dame, Area 8
Samuel Dyer, Chairperson, Area 3
John Gallagher, Area 9
Robert Hall, Area 10
Pete Keenan, Area 5
James Langley, Jr., Area 7
Harry McManus, Area 1
Colin Read, Area 4
Patty Waldron, Area 6

EXCUSED: Jonathan Beach, Area 2

ALSO PRESENT: Michael E. Zurlo, County Administrator
Rodney Brown, Deputy County Administrator
James Coffey, Esq., County Attorney
Jeanene Bell, Senior Stenographer

Chairperson Dyer called the meeting to order at 7:02 p.m.

Following the pledge of allegiance to the flag, County Administrator Michael Zurlo conducted roll call. Legislator Beach asked to be excused.

Legislator Hall motioned to accept the minutes of the September 9th Regular Session, seconded by Legislator Read. (Carried 9-0-1).

There being no one to address the Legislature, Chairperson Dyer called for standing committee and liaison reports.

Committee Reports

Buildings and Grounds Committee – Legislator Read

Legislator Read reported the next Buildings and Grounds Committee meeting is scheduled for Wednesday, October 14th at 5:15 p.m. Resolution #662 has been placed on the agenda as a result of a poll of the Committee.

Children and Family Services Committee – Legislator Waldron

Legislator Waldron reported the next Children and Family Services Committee meeting is scheduled for Thursday, October 1st at 6:15 p.m. The meeting will be held at the Human Services Center.

County Operations Committee – Legislator Read

Legislator Read reported the next County Operations Committee meeting is scheduled for Wednesday, October 14th at 6 p.m. Resolutions #663 and #664 have been placed on the agenda as a result of a poll of the Committee.

Finance Committee – Legislator Dame

Legislator Dame reported the next Finance Committee meeting is scheduled for Wednesday, October 7th at 5:15 p.m.

Human Services Committee – Legislator Keenan

Legislator Keenan reported the next Human Services Committee meeting is scheduled for Wednesday, October 7th following the 5:15 p.m. Finance Committee meeting.

Plattsburgh International Airport Committee – Legislator Langley

Legislator Langley reported the Plattsburgh International Airport Committee met earlier. Resolutions #666, #692 and #694 have been placed on the agenda upon the recommendation of the Committee.

The next Plattsburgh International Airport Committee meeting is scheduled for Wednesday, October 28th at 5:15 p.m.

Public Safety Committee – Legislator Hall

Legislator Hall reported the Public Safety Committee met Monday, September 14th at 5:15 p.m. He reported Frank Mercier, the STOP-DWI Coordinator, discussed the August, 2015 Public Safety Report. He updated the Committee on the status of 2016 grant applications.

Legislator Hall reported Diana Livermore, the Administrative Assistant to the District Attorney, and Richelle Gregory, the Director of the Child Advocacy Center, discussed the District Attorney's request to register a seized vehicle for the Child Advocacy Center (CAC). The Committee approved the vehicle be registered and used by staff associated with the CAC.

Legislator Hall reported Justin Meyer, the Administrator of Legal Defense of Indigent Defendants, discussed adjusting attorneys' fees for Integrated Domestic Violence (IDV) Court cases.

Transportation Committee – Legislator McManus

Legislator McManus reported the Transportation Committee met Tuesday, September 15, 2015. Resolutions #673 through #675 were approved at the meeting, and the Committee was polled on Resolution #676.

Legislator McManus reported Rodney Brown, the Planning Director and James Bosley, the Planning Technician, reported that McDonald Transit Associates, Inc. started managing Clinton County Public Transit (CCPT) on July 1st, taking over from First Transit, Inc. While there were a few transitional issues early on, Mr. Brown stated the working relationship between the Planning Office and McDonald Transit Associates, Inc. has been very good, and he is pleased with the local management team's transit experience and results.

Legislator McManus reported one unfortunate development however has been a serious deterioration of the vehicle fleet. Of the sixteen vehicles in the CCPT fleet, there are currently eight vehicles that are out of service. He reported McDonald Transit Associates, Inc. is working diligently to repair the buses that are out, but we are very close to the line that CCPT has been forced to cancel specific runs and routes within the past two weeks. While the County is preparing to move forward to solicit bids for seven new buses, the existing condition of the fleet continues to threaten the reliability of service offered. Once the bid is awarded, it will take approximately six months for the newly-purchased buses to arrive.

Legislator McManus reported in response to this issue, Mr. Brown offered a proposal for the Committee's consideration that would reduce the burden on CCPT. The proposal involved either scaling back or entirely eliminating the Rural Paratransit service. The Rural Paratransit service is a service that allows ADA-eligible individuals that live outside the City area to reserve appointments for rides whereby the bus would pick them up at their selected location and deliver them to their destination. One of the reasons this service is being proposed for reduction or elimination is that it has recently become more popular, and several individuals are using the service every day for employment purposes which places a great demand on the service. Where CCPT was previously using only one bus for this service, they are now forced to use two and sometimes three buses, making buses unavailable for other routes. In addition, the Rural Paratransit service is a not a mandated service to be offered, and it is the most expensive route in the CCPT system. Mr. Bosley reported that NYSDOT recently informed us all other systems across New York State have eliminated Rural Paratransit over time, and Clinton County is the last remaining county that offers the service.

Legislator McManus reported the first public hearing (which will include providers) to discuss the issue will be held Thursday, September 24th at 10 a.m. in the Community Room at the Government Center. The second public hearing will be held Tuesday, September 29th at 12 p.m. and will be a question and answer period for the public. Legislator McManus invited members of the Transportation Committee to attend.

Legislator McManus reported he placed information in Legislators' mailboxes outlining current CCPT services and proposed changes to the Rural Paratransit service. It is proposed the County be divided into zones and coordinate with The University of Vermont-CVPH Dialysis Unit.

Legislator Gallagher asked if there has been consideration of contracting with local school districts for the use of their buses. Mr. Brown replied school districts are not interested in contracting with the County for this purpose, and many school districts did not think they could enter into a contract with the County for this purpose.

Mr. Brown reported a trip cannot be denied under the Americans with Disabilities Act (ADA). A trip denial will result in a sanction.

Legislator McManus reported Rural Paratransit within the City of Plattsburgh will not be affected.

Legislator Hall asked if the public has been notified of the public hearings. Mr. Brown replied yes, and stated notices were sent to all human service organizations, seat drops were done on the CCPT buses and legal advertisements have been placed in the Press Republican.

Legislator Dame reported it should be made clear to everyone in the news media the Transportation Committee has weighed this issue heavily. He reported if trip denials occur for Rural Paratransit which will result in the State and Federal Governments eliminating funding, and the CCPT bus system will fail. Legislator McManus reported sanctions could affect funding for the new buses.

Mr. Brown reported New York State Department of Transportation (NYSDOT) suggested the Rural Paratransit service be eliminated. He responded by stating we are talking about human lives that will not be able to receive services. He reported once a decision is made, the County is required to give a one-month notice to NYSDOT before it is put into effect.

Legislator Waldron asked about other transportation alternatives the County can offer. Legislator Dame reported Medicaid will pay for private service or taxi; however, not everyone on kidney dialysis receives Medicaid. Mr. Brown reported alternatives will be discussed at the Thursday, September 24th public meeting. He reported each individual that utilizes Rural Paratransit will be contacted if they did not receive notification in regards to the public hearings.

Liaison Reports

Chamber of Commerce – Legislator Read

Legislator Read reported the Strategic Tourism Planning Committee (STPC) met earlier in September and is scheduled to meet again in October.

Cooperative Extension – Legislator McManus

Legislator McManus reported that everyone enjoyed the Agricultural Tour which took place on Friday, September 18th.

InterCounty – Legislator Waldron

Legislator Waldron reported she attended two meetings of the Intercounty Legislative Committee of the Adirondacks earlier today at the New York Association of Counties (NYSAC) Fall Conference. She reported Samuel Paul, the Director of the Washington County Veterans' Services, distributed a pamphlet titled, "Improve Pension Aid and Attendance for Health Care for Veterans." This is an updated list of benefits for veterans. Ms. Waldron reported several resolutions were discussed that Clinton County can approve. Mr. Zurlo reported the County has already approved several of the resolutions.

Soil and Water – Chairperson Dyer

Chairperson Dyer reported there were 92 bales of plastic picked up from farms throughout Clinton County. Mr. Zurlo asked about the market for the product. Chairperson Dyer replied the plastic was brought to Malone, New York.

Chairperson Dyer reported a new Clerk has been hired at Soil and Water.

Workforce Development Board – Legislator Read

Legislator Read reported he attended a Workforce Investment Board (WIB) meeting in Saranac Lake earlier in September. The WIB has been renamed to the Workforce Development Board.

Mr. Zurlo reported a press release was issued today by the New York State Comptroller in regards to municipalities that are under fiscal stress for the year ending December 31, 2014. He reported there are 12 counties, 11 cities and 21 towns on the list. The number of municipalities on the list is greater than the previous year. Mr. Zurlo reported that this is an indictment of the municipalities that rely too heavily on their fund balance to meet the statutory tax cap. Mr. Zurlo reported Clinton County has received no designation for the third year.

Legislator Gallagher reported last year, he suggested the tax rate be higher and well below the tax cap that would build the reserve.

Mr. Zurlo reported the tax base growth factor for tax cap calculation purposes was .73 percent for 2016. Further, the first two months of the calculable months for the 2017 growth factor were zero. As such, cap limits will continue to be quite low.

Mr. Zurlo reported departmental budgets have been submitted and are being audited. Submissions have been encouraging to date.

Chairperson Dyer reported he, Mr. Zurlo, Legislators Read and Waldron attended the 2015 NYSAC Fall Conference in Lake Placid on Monday, September 21st through Wednesday, September 23rd. The Conference was very informative.

Mr. Zurlo reported on the Efficiency Report which is a conglomeration of counties that have submitted their Efficiency Plans. He reported much of what Clinton County submitted was included in the Efficiency Report. Clinton County has not been contacted by the State Comptroller's Office stating its Efficiency Plan has been approved.

There being no further business, Chairperson Dyer moved on to resolutions. The following resolutions were approved unless otherwise noted.

Resolutions #662 through #665 were approved.

Resolution #666 titled, "Authorizing the Purchasing Agent to Reject and Re-Solicit Bids for Snow Plowing, Snow Removal, Salting and Sanding of the Plattsburgh International Airport's Passenger Parking Lot"

Discussion: Legislator Gallagher asked if the amount of \$555 per hour for Northern Snow & Dirt, Inc. is correct. Mr. Zurlo replied the dollar amount is the reason for the rejection of the bid. He reported there was miscommunication between the perspective respondents. (Carried 9-0-1).

Resolution #667 was approved.

Resolution #668 titled, "Authorizing the District Attorney's Office to Register a Seized Vehicle – District Attorney's Office/Child Advocacy Center (CAC)"

Discussion: Legislator Langley asked if the seized vehicle is an additional vehicle. Mr. Zurlo replied the seized vehicle is an additional vehicle. Legislator Langley asked if mileage is paid to the driver. Mr. Zurlo replied yes, and stated one of the vehicles currently used by the District Attorney's Office is coming off the road. Legislator Langley asked if this vehicle will be replaced at a later date. Mr. Zurlo replied only if it is a seized vehicle. (Carried 9-0-1).

Resolutions #669 through #675 were approved.

Resolution #676 titled, "Authorizing the Purchasing Agent to Solicit Bids for Buses – Clinton County Public Transit"

Discussion: Mr. Zurlo reported the purchase of the buses is an 80/10/10 cost share, with 10 percent of the cost share being Clinton County. He reported the County has been accumulating the ten percent over a number of years, waiting for the ability to go out to bid.

Legislator Dame asked about the six-month timeframe to manufacture the buses. Mr. Brown reported there are no buses awaiting purchase. He stated the County could purchase the buses from New York State contract; however, buses run by diesel cannot be obtained, only buses run by gas which are not as efficient and are not always available. Mr. Brown reported the buses are manufactured in Albany and Syracuse, New York. (Carried 9-0-1).

Resolutions #677 through #685 were approved.

Resolution #686 titled, "Authorizing the County Treasurer to Establish Appropriation and Corresponding Revenue for the 2015 Local Waterfront Revitalization Program Grant – Planning Department"

Discussion: Legislator Read abstained from the vote. (Carried 8-0-1-1).

Resolutions #687 through #691 were approved.

Legislator Read motioned to Waive Rule 13.2, seconded by Legislator Hall. (Carried 9-0-1).

Resolutions #692 through #694 was approved.

Chairperson Dyer asked if the Legislature would be in agreement of the Treasurer's Office providing the Press Republican with an updated list of names for the second and third publications for those taxpayers who have not paid their taxes. The Legislature was in agreement.

Chairperson Dyer asked if anyone had anything further to come before the Legislature.

There being no further business, Chairperson Dyer entertained a motion from Legislator Gallagher to adjourn Regular Session at 8 p.m., seconded by Legislator Hall. (Carried 9-0-1).

Respectfully submitted,



Jeanene Bell
Senior Stenographer